

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**FREDERICK PENNINGTON, JR.  
ADC # 71305**

**PLAINTIFF**

**v.**

**5:08CV00018-WRW-BD**

**WENDY KELLY, *et al.***

**DEFENDANTS**

**ORDER**

The Court has received the Partial Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the Partial Recommended Disposition, the timely objections received, as well as a *de novo* review of the record, the Court concludes that the Partial Recommended Disposition is approved and adopted in its entirety as this Court's findings in all respects.

The claims against the John Doe Defendant are hereby DISMISSED without prejudice under Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED this 24<sup>th</sup> day of April, 2009.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE